

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Toshio Ota et al.
Title: IMMOBILIZED cDNA LIBRARIES
Appln. No.: 09/787,504
Filed: March 19, 2001
Examiner: Jeanine Anne Goldberg
Art Unit: 1634

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CERTIFICATION and INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. §1.56 and 37 C.F.R. §1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In order to comply with Applicant duty of disclosure pursuant to 37 C.F.R. § 1.56, submitted herewith on a modified Form PTO-1449 is a listing of a document known to Applicants. A copy of each listed document is being submitted to comply with the provisions of 37 C.F.R. §§ 1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b).

Applicants does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 C.F.R. § 1.97(b), within three (3) months of the mailing date of the foreign search report.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application dated not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO-1449 was cited as being relevant during the prosecution of the corresponding European application. A copy of the Search Report is attached setting forth the portion of each document considered relevant by the examiner. English-language counterparts of foreign-language documents have been provided where readily available. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 C.F.R. § 1.98 and M.P.E.P. § 609).

All of the documents are in English.

Applicants respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,

Date Oct. 18, 2002

By Stephen B. Maebius

FOLEY & LARDNER
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5569
Facsimile: (202) 672-5399

Stephen B. Maebius
Attorney for Applicant
Registration No. 35,264



P.B.5818 - Patentlaan 2
2280 HV Rijswijk (ZH)
☎ +31 70 340 2040
TX 31651 epo nl
FAX +31 70 340 3016

Europäisches
Patentamt

Zweigstelle
in Den Haag
Recherchen-
abteilung

European
Patent Office

Branch at
The Hague
Search
division

Office européen
des brevets

Département à
La Haye
Division de la
recherche

VOSSIUS & PARTNER
Siebertstrasse 4
81675 München
ALLEMAGNE

EINGEGANGEN

Vossius & Partner

30. Aug. 2002

Frist
bearb.

Datum/Date

29.08.02

Zeichen/Ref./Réf.

F 1503 EP

Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°

99938604.8-2405-JP9904549

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire

Helix Research Institute

COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

☒ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

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REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





European Patent
Office

SUPPLEMENTARY
EUROPEAN SEARCH REPORT

Application Number
EP 99 93 8604

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.CI.7)
X	TAKASHI ISHIKAWA ET AL: "CONSTRUCTION OF CDNA BANK FROM BIOPSY SPECIMENS FOR MULTIPLE GENE ANALYSIS OF CANCER" CLINICAL CHEMISTRY, AMERICAN ASSOCIATION FOR CLINICAL CHEMISTRY. WINSTON, US, vol. 43, no. 5, 1997, pages 764-770, XP002917361 ISSN: 0009-9147 * figure 1 *	13,14	C12N15/00
X	SUZUKI Y ET AL: "CONSTRUCTION AND CHARACTERIZATION OF A FULL LENGTH-ENRICHED AND A 5'-END-ENRICHED CDNA LIBRARY" GENE, ELSEVIER, AMSTERDAM, NL, vol. 200, no. 1/2, 19 November 1997 (1997-11-19), pages 149-156, XP002917609 ISSN: 0378-1119 * abstract *	13,14	
X	WO 94 08007 A (HARVARD COLLEGE) 14 April 1994 (1994-04-14) * page 10, line 27 * * page 18, line 26 *	13,14, 16-18	TECHNICAL FIELDS SEARCHED (Int.CI.7) C12N
X	WO 98 21366 A (Q B I ENTERPRISES LTD ;EINAT PAZ (IL); VASQUEZ IASLOP NORA CECILIA) 22 May 1998 (1998-05-22) * the whole document *	13,14,19	
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
Place of search MUNICH		Date of completion of the search 20 August 2002	Examiner Herrmann, K
CATEGORY OF CITED DOCUMENTS X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document			

**ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.**

EP 99 93 8604

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report.
The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

20-08-2002

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
✓ WO 9408007 A	14-04-1994	AU 681095 B2	21-08-1997
		AU 5294693 A	26-04-1994
		CA 2145769 A1	14-04-1994
		EP 0663007 A1	19-07-1995
		JP 8502168 T	12-03-1996
		WO 9408007 A1	14-04-1994
		US 5665862 A	09-09-1997
✓ WO 9821366 A	22-05-1998	AU 5442198 A	03-06-1998
		EP 0960212 A1	01-12-1999
		JP 2001504694 T	10-04-2001
		WO 9821366 A1	22-05-1998
		US 6057111 A	02-05-2000